

AMENDED IN SENATE MAY 25, 2012

AMENDED IN SENATE APRIL 9, 2012

SENATE BILL

No. 1392

Introduced by Senators Pavley and Rubio
(Coauthors: Assembly Members Beall and Huffman)

February 24, 2012

An act to add Section 11011.22 to the Government Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

SB 1392, as amended, Pavley. Developmental services.

Existing law establishes several developmental centers within the jurisdiction of the State Department of Developmental Services.

This bill would ~~require, if a specified developmental center is determined to no longer meet the needs of the state for directly serving persons with developmental disabilities, that~~ *permit* the real property within the grounds of ~~the~~ *a* developmental center, ~~as specified, that is determined to no longer meet the needs of the state for directly serving persons with developmental disabilities to~~ be made available for lease and be leased, ~~subject to certain other leases,~~ to generate revenue for deposit into the Californians with Developmental Disabilities Fund, which the bill would create. The bill would require moneys in this fund to be made available, upon appropriation by the Legislature, to the department for purposes of serving persons with developmental disabilities.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature hereby finds and declares all of
2 the following:

3 (a) The Lanterman Developmental *Disabilities* Services Act
4 states that the State of California accepts a responsibility for
5 persons with developmental disabilities and an obligation to them
6 that it must discharge.

7 (b) Some persons with developmental disabilities live in one of
8 four state-owned and state-operated developmental centers or
9 participate in the community-based residential program.

10 (c) As demonstrated by developmental centers that the state has
11 previously closed, including the Stockton, Camarillo, and Agnews
12 Developmental Centers, upon closure the residents still require
13 ongoing supports and services, including residential services, as
14 they transition to community-based housing, programs, and service.

15 (d) The obligation by the State Department of Developmental
16 Services to meet the housing and other needs of these persons
17 under the Lanterman Developmental Disabilities *Services* Act
18 necessitates thoughtful consideration, including, but not limited
19 to, the use of *a* previously closed developmental-center ~~center~~ *center*
20 property in any manner possible for the benefit of the population
21 served.

22 SEC. 2. Section 11011.22 is added to the Government Code,
23 to read:

24 11011.22. (a) Notwithstanding Section 11011, if the real
25 property within the grounds of Agnews State Hospital, Camarillo
26 State Hospital, Fairview State Hospital, Lanterman State Hospital,
27 Porterville State Hospital, Sonoma State Hospital, or Stockton
28 State Hospital is determined to no longer meet the needs of the
29 state for directly serving persons with developmental disabilities,
30 the real property, subject to any lease entered into pursuant to a
31 statute enacted prior to the effective date of this section, ~~shall~~ *may*
32 be made available for lease and be leased in order to generate
33 revenue for deposit into the Californians with Developmental
34 Disabilities Fund.

35 (b) The Californians with Developmental Disabilities Fund is
36 hereby created in the State Treasury. Moneys in the fund shall,
37 upon appropriation by the Legislature, be made available to the
38 State Department of Developmental Services for purposes of

- 1 serving persons with developmental disabilities, subject to Section
- 2 4688.6 of the Welfare and Institutions Code.

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